

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FIFTY-THIRD DAY, WEDNESDAY, APRIL 12, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God, as this day is still new, we bow in Your presence to thank You for all the blessings we know and are warmed by.

One of our blessings, in these Spring days, is found in the sounds of children and students in this capitol building. We are grateful for the boys and girls of Missouri. We pray for those growing up alongside us now, for those who teach them and for those who nurture them in faith and truth.

O Lord, teach us to number our days that we may apply our hearts to wisdom, and value our children. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: The Kemper family, The Bohnert family, The Troyer family, Molly Schuh, Kyle Regan, Leah Muntges, Alex Muntges, Lisa Hugge, Christie Hovis, Chris Koenen, Brennan Connor, Joshua Bohnert, Royce Bohnert, Arielle Bohnert, Hughes DeTournemire, Nathan Temple Scott and Christa Elisabeth Scott.

The Journal of the fifty-second day was approved as corrected by the following vote:

AYES: 086

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Griesheimer	Gunn	Hagan-Harrell	Hampton	Harlan
Hickey	Hilgemann	Hollingsworth	Hoppe	Hosmer
Kelly 27	Kennedy	Kissell	Koller	Kreider
Lakin	Lawson	Leake	Liese	Luetkenhaus
May 108	Mays 50	McBride	McKenna	McLuckie
Merideth	Monaco	Murray	O'Connor	O'Toole
Overschmidt	Parker	Ransdall	Relford	Reynolds
Riley	Rizzo	Robirds	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Thompson
Treadway	Troupe	Van Zandt	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 062

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Graham 106	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
Kelley 47	King	Klindt	Legan	Levin
Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	McClelland	Miller	Murphy	Myers
Naeger	Ostmann	Patek	Phillips	Pouche 30
Purgason	Reinhart	Richardson	Ross	Secrest
Shields	Summers	Surface	Townley	Tudor
Vogel	Wright			

PRESENT: 001

Reid

ABSENT WITH LEAVE: 013

Berkstresser	Dolan	Gross	Hanaway	Hartzler 123
Nordwald	Pryor	Ridgeway	Sallee	Schwab
Scott	Smith	Stokan		

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1104 - Representatives Gaw, Hartzler (123), Leake and Wiggins
 House Resolution No. 1105 - Representatives George, Green and Reynolds
 House Resolution No. 1106 - Representative Ross
 House Resolution No. 1107 - Representatives Chrismer and Days
 House Resolution No. 1108 - Representatives Ross and Lograsso
 House Resolution No. 1109 - Representative Naeger
 House Resolution No. 1110 - Representative Boatright
 House Resolution No. 1111 - Representatives Hartzler (124) and Hartzler (123)
 House Resolution No. 1112 - Representative Graham (24)

SECOND READING OF SENATE BILL

SB 610 was read the second time.

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HS HCS HBs 1652 & 1433 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

PERFECTION OF HOUSE BILL

HCS HB 1569, as amended, relating to Missouri Equal Pay Act, was taken up by Representative Bray.

Representative Bartle offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Committee Substitute for House Bill No. 1569, Page 2, Section 290.612, Line 15, by adding the following after said line:

“3. Notwithstanding the provisions of subsection 1 of this section, it shall not be an unlawful practice under 290.610 to 290.618 for an employer to pay different wage rates in different counties.”

And renumber accordingly.

Representative Bray raised a point of order that **House Amendment No. 14** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Parker offered **House Substitute Amendment No. 1 for House Amendment No. 14**.

*House Substitute Amendment No. 1
for
House Amendment No. 14*

AMEND House Committee Substitute for House Bill No. 1569, Page 2, Section 290.612, Line 15, by adding the following after said line:

“(4) Bonafide regional economic differentials.”.

On motion of Representative Parker, **House Substitute Amendment No. 1 for House Amendment No. 14** was adopted by the following vote:

AYES: 153

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kelley 47	Kelly 27	Kennedy

King	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Ridgeway
Riley	Rizzo	Robirds	Ross	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Richardson

PRESENT: 001

Kasten

ABSENT WITH LEAVE: 007

Berkstresser	Hanaway	Kissell	Linton	Lograsso
Sallee	Stokan			

VACANCIES: 001

Representative Marble offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for House Bill No. 1569, Page 2, Section 290.612, Line 2, by adding after the word “discriminate” the word “**intentionally**”; and

Further amend said bill, Page 3, Section 290.618, Line 1, by adding after the word “has” the word “**intentionally**”.

Representative Marble moved that **House Amendment No. 15** be adopted.

Which motion was defeated by the following vote:

AYES: 070

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Holand	Howerton	Kasten	King	Klindt
Legan	Levin	Linton	Lograsso	Long
Loudon	Luetkemeyer	Marble	McClelland	Merideth
Miller	Murphy	Myers	Naeger	Ostmann
Patek	Phillips	Pouche 30	Pryor	Purgason
Reinhart	Richardson	Ridgeway	Robirds	Ross
Schwab	Scott	Secrest	Shields	Summers
Surface	Townley	Tudor	Vogel	Wright

NOES: 085

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curts
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Monaco
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Reid	Relford	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 007

Berkstresser	Hanaway	Hohulin	Kelley 47	Nordwald
Sallee	Stokan			

VACANCIES: 001

Representative Froelker offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Committee Substitute for House Bill No. 1569, Page 1, Section 290.610, Lines 6 & 7, by deleting the following: “**and any temporary employee employed by an employer**”.

Representative Griesheimer offered **House Substitute Amendment No. 1 for House Amendment No. 16**.

*House Substitute Amendment No. 1
for
House Amendment No. 16*

AMEND House Committee Substitute for House Bill No. 1569, Page 1, Section 290.610, Line 7, by deleting the word “three” and inserting in lieu thereof the word “**six**”.

On motion of Representative Griesheimer, **House Substitute Amendment No. 1 for House Amendment No. 16** was adopted.

Representative Crump moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Relford	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 068

Akin	Ballard	Barnett	Bartelsmeyer	Bartle
Bennett	Black	Blunt	Boatright	Burton
Champion	Chrismer	Cierpiot	Crawford	Dolan
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Graham 106	Griesheimer	Gross
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Holand
Howerton	Kasten	King	Klindt	Legan
Levin	Linton	Lograsso	Long	Loudon
Luetkemeyer	Marble	McClelland	Miller	Murphy
Myers	Naeger	Ostmann	Patek	Phillips
Pouche 30	Pryor	Purgason	Reid	Reinhart
Richardson	Ridgeway	Robirds	Ross	Schwab
Scott	Secrest	Shields	Surface	Townley
Tudor	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 009

Alter	Berkstresser	Hanaway	Hohulin	Kelley 47
Nordwald	Sallee	Stokan	Summers	

VACANCIES: 001

On motion of Representative Bray, **HCS HB 1569, as amended**, was adopted.

On motion of Representative Bray, **HCS HB 1569, as amended**, was ordered perfected and printed.

On motion of Representative Crump, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Kreider.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Caleb Smith, Carson Petrash, Sarah Hamill, Maggie Goss, Christopher Tullmann, Karen Beck, James Cressler, Adrienne DaGue, Elizabeth Falk, Melissa Finerty and Kirsten Lueder.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1113 - Representative Gratz
House Resolution No. 1114 - Representative Hartzler (124)
House Resolution No. 1115 - Representatives Gaskill and Bartelsmeyer
House Resolution No. 1116 - Representative Luetkenhaus
House Resolution No. 1117 - Representative Riley
House Resolution No. 1118
through
House Resolution No. 1120 - Representative Lakin
House Resolution No. 1121 - Representative Riback Wilson (25)
House Resolution No. 1122 - Representative Shelton
House Resolution No. 1123 - Representative Abel

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1711** and **HS HCS HB 1797**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 1711 - Fiscal Review (Fiscal Note)

THIRD READING OF SENATE BILL

HCS SS SB 549, relating to tobacco settlement funds, was taken up by Representative Van Zandt.

Representative Van Zandt offered **HS HCS SS SB 549**.

Representative Hanaway offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 2, Section 196.1014, Line 10, by inserting after all of said line the following:

“Any vote on a constitutional amendment relating to tobacco settlement moneys shall be placed on the Primary Election ballot and shall not be placed on the November general election ballot.”.

Representative Bartle offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 2, Section 196.1014, Line 10, by inserting after all of said line the following:

“The General Assembly instructs the Governor to place any vote on a constitutional amendment relating to the Tobacco Settlement Trust Fund on the Primary Election ballot and shall not be placed on the November General Election ballot.”.

Representative Bartle moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Blunt offered **House Substitute Amendment No. 2 for House Amendment No. 1**.

Representative May (108) raised a point of order that **House Substitute Amendment No. 2 for House Amendment No. 1** is not a true substitute amendment.

Representative Clayton raised an additional point of order that **House Substitute Amendment No. 2 for House Amendment No. 1** is unconstitutional.

The Chair ruled the second point of order not well taken.

House Substitute Amendment No. 2 for House Amendment No. 1 was withdrawn.

Representative Froelker offered **House Substitute Amendment No. 2 for House Amendment No. 1**.

*House Substitute Amendment No. 2
for
House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 2, Section 196.1014, Line 10, by deleting on said line the following: **“January 3, 2001”**, and inserting in lieu thereof **“August 28, 2000”**.

Representative May (108) raised a point of order that **House Substitute Amendment No. 2 for House Amendment No. 1** is not a true substitute amendment.

The Chair ruled the point of order not well taken.

Representative Froelker moved that **House Substitute Amendment No. 2 for House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 073

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
King	Klindt	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Schwab	Scott
Secrest	Shields	Summers	Surface	Townley
Tudor	Vogel	Wright		

NOES: 085

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Relford	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 004

Berkstresser	Kelley 47	Sallee	Stokan
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VACANCIES: 001

Representative Monaco offered **House Substitute Amendment No. 3 for House Amendment No. 1**.

Representative Levin raised a point of order that **House Substitute Amendment No. 3 for House Amendment No. 1** is not a true substitute amendment.

The Chair ruled the point of order not well taken.

House Substitute Amendment No. 3 for House Amendment No. 1 was withdrawn.

House Amendment No. 1 was withdrawn.

Representative Lograsso offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 2, Section 196.1014, Line 17, by deleting all of subsection 6, and inserting in lieu thereof the following:

“6. It shall be the stated policy of the State of Missouri to value human life. The State of Missouri shall do nothing that denigrates that value of human life.”.

Representative Lograsso moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 073

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Bray 84	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham 106
Griesheimer	Gross	Hanaway	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Holand	Howerton
Kasten	King	Klindt	Legan	Levin
Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	McClelland	Miller	Murphy	Myers
Naeger	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Schwab	Scott
Secrest	Shields	Summers	Surface	Townley
Tudor	Vogel	Wright		

NOES: 084

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Britt	Brooks
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Monaco
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Relford	Reynolds	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 005

Berkstresser	Kelley 47	Nordwald	Sallee	Stokan
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VACANCIES: 001

Representative Riley requested verification of the roll call on **House Amendment No. 1**.

Representative Lawson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Section 196.1014, Line 8, by inserting after said line the following:

“7. The state treasurer shall monthly transfer from the tobacco settlement trust fund to the “Agricultural Economic Development Trust Fund” amount equal to five percent of the tobacco settlement trust fund. Moneys in the agricultural economic development trust fund shall be appropriated solely for the purpose of developing opportunities for communities and farmers affected by the Missouri tobacco settlement.”.

Representative Van Zandt raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Klindt offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

Representative Klindt offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

House Amendment No. 2 was withdrawn.

HCS SS SB 549, with HS, pending, was placed on the Informal Calendar.

PERFECTION OF HOUSE BILL - INFORMAL

HB 1472, relating to juvenile information, was taken up by Representative Smith.

Representative Patek offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1472, Page 1, Section 210.865, Line 1, by adding after the word “carts” the following:

“, circuit courts,”; and

Further amend said bill, Page 1, Section 210.865, Line 13, by adding after all of said line the following:

“All information regarding pupils enrolled in a Missouri school district under the age of 21 which alleges that the pupil has committed one of the following acts or such pupil has been indicted for one of the following acts shall be reported to the Juvenile Information Governance Commission established pursuant to Section 210.870, RSMo:

- (1) First degree murder under Section 565.020, RSMo;
- (2) Second degree murder under Section 565.021, RSMo;
- (3) Kidnapping under Section 565.110, RSMo;
- (4) First degree assault under Section 565.050, RSMo;
- (5) Forcible rape under Section 566.030, RSMo;
- (6) Forcible sodomy under Section 566.060, RSMo;
- (7) Burglary in the first degree under Section 569.160, RSMo;
- (8) Robbery in the first degree under Section 569.020, RSMo;
- (9) Distribution of drugs under Section 195.211, RSMo;
- (10) Distribution of drugs to a minor under Section 195.212, RSMo;
- (11) Arson in the first degree under Section 569.040, RSMo;
- (12) Voluntary manslaughter under Section 565.023, RSMo;
- (13) Involuntary manslaughter under Section 565.024, RSMo;
- (14) Second degree assault under Section 565.060, RSMo;
- (15) Sexual assault under Section 566.040, RSMo;
- (16) Felonious restraint under Section 565.120, RSMo;
- (17) Property damage in the first degree under Section 569.100, RSMo; or
- (18) The possession of a weapon under chapter 571, RSMo.”.

Representative Dougherty assumed the Chair.

Representative Smith raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Dougherty requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Patek moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 066

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrimer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Howerton	Kasten	Klindt
Legan	Levin	Linton	Lograsso	Long
Loudon	Luetkemeyer	Marble	Miller	Murphy
Myers	Naeger	Ostmann	Patek	Phillips
Pouche 30	Pryor	Reid	Reinhart	Richardson
Ridgeway	Robirds	Schwab	Scott	Secrest
Shields	Summers	Surface	Tudor	Vogel
Wright				

NOES: 085

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
King	Kissell	Koller	Kreider	Lawson
Leake	Liese	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Monaco
Murray	Nordwald	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Relford	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Townley	Treadway
Troupe	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 001

Purgason

ABSENT WITH LEAVE: 010

Berkstresser	Franklin	Holand	Kelley 47	Lakin
Luetkenhaus	Reynolds	Ross	Sallee	Stokan

VACANCIES: 001

Representative Hosmer offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 1472, Page 2, at the end of said page, by inserting after all of said line the following:

"211.321. 1. Records of juvenile court proceedings as well as all information obtained and social records prepared in the discharge of official duty for the court shall not be open to inspection or their contents disclosed, except by order of the court to persons having a legitimate interest therein, unless a petition or motion to modify is sustained which charges the child with an offense which, if committed by an adult, would be a class A felony under the criminal code of Missouri, or capital murder, first degree murder, or second degree murder or except as provided in subsection 2 of this section. In addition, whenever a report is required [under] **pursuant to** section 557.026, RSMo, there shall also be included a complete list of certain violations of the juvenile code for which the defendant had been adjudicated a delinquent while a juvenile. This list shall be made available to the probation officer and shall be included in the presentence report. The violations to be included in the report are limited to the following: rape, sodomy, murder, kidnaping, robbery, arson, burglary or any acts involving the rendering or threat of serious bodily harm. The supreme court may promulgate rules to be followed by the juvenile courts in separating the records.

2. In all proceedings [under] **pursuant to** subdivisions (1) and (2) of subsection 1 of section 211.031, the records of the juvenile court as well as all information obtained and social records prepared in the discharge of official duty for the court shall be kept confidential and shall be open to inspection only by order of the judge of the juvenile court or as otherwise provided by statute. In all proceedings [under] **pursuant to** subdivision (3) of subsection 1 of section 211.031 the records of the juvenile court as well as all information obtained and social records prepared in the discharge of official duty for the court shall be kept confidential and may be open to inspection without court order only as follows:

(1) The juvenile officer is authorized at any time:

(a) To provide information to or discuss matters concerning the child, the violation of law or the case with the victim, witnesses, officials at the child's school, law enforcement officials, prosecuting attorneys, any person or agency having or proposed to have legal or actual care, custody or control of the child, or any person or agency providing or proposed to provide treatment of the child. Information received pursuant to this paragraph shall not be released to the

general public, but shall be released only to the persons or agencies listed in this paragraph;

(b) To make public information concerning the offense, the substance of the petition, the status of proceedings in the juvenile court and any other information which does not specifically identify the child or the child's family;

(2) After a child has been adjudicated delinquent pursuant to subdivision (3) of subsection 1 of section 211.031, for an offense which would be a felony if committed by an adult, the records of the dispositional hearing and proceedings related thereto shall be open to the public to the same extent that records of criminal proceedings are open to the public. However, the social summaries, investigations or updates in the nature of presentence investigations, and status reports submitted to the court by any treating agency or individual after the dispositional order is entered shall be kept confidential and shall be opened to inspection only by order of the judge of the juvenile court;

(3) As otherwise provided by statute;

(4) In all other instances, only by order of the judge of the juvenile court.

3. Peace officers' records, if any are kept, of children shall be kept separate from the records of persons seventeen years of age or over and shall not be open to inspection or their contents disclosed, except by order of the court. This subsection does not apply to children who are transferred to courts of general jurisdiction as provided by section 211.071 or to juveniles convicted [under] **pursuant to** the provisions of sections 578.421 to 578.437, RSMo. This subsection does not apply to the inspection or disclosure of the contents of the records of peace officers for the purpose of pursuing a civil forfeiture action pursuant to the provisions of section 195.140, RSMo.

4. **Notwithstanding the provisions of subsection 3 of this section, intelligence data of children contained in the files of law enforcement agencies may be placed within a computer data storage system along with intelligence data of adults, provided that access to the computer data storage system is restricted to authorized employees. Authorized employees include all law enforcement agencies, peace officers and organizations established to house intelligence data within a central computer data storage system. Nothing in this subsection prohibits the exchange of intelligence or information by law enforcement agencies, peace officers and organizations established to house intelligence data within a central computer data storage system if the exchanged information is pertinent and necessary for law enforcement purposes.** Nothing in this section shall be construed to prevent the release of information and data to persons or organizations authorized by law to compile statistics relating to juveniles. The court shall adopt procedures to protect the confidentiality of children's names and identities.

5. The court may, either on its own motion or upon application by the child or [his] **the child's** representative, or upon application by the juvenile officer, enter an order to destroy all social histories, records, and information, other than the official court file, and may enter an order to seal the official court file, as well as all peace officers' records, at any time after the child has reached [his] **the child's** seventeenth birthday if the court finds that it is in the best interest of the child that such action or any part thereof be taken, unless the jurisdiction of the court is continued beyond the child's seventeenth birthday, in which event such action or any part thereof may be taken by the court at any time after the closing of the child's case.

6. Nothing in this section shall be construed to prevent the release of general information regarding the informal adjustment or formal adjudication of the disposition of a child's case to a victim or a member of the immediate family of a victim of any offense committed by the child. Such general information shall not be specific as to location and duration of treatment or detention or as to any terms of supervision.

7. Records of juvenile court proceedings as well as all information obtained and social records prepared in the discharge of official duty for the court shall be disclosed to the child fatality review panel reviewing the child's death pursuant to section 210.192, RSMo, unless the juvenile court on its own motion, or upon application by the juvenile officer, enters an order to seal the records of the victim child."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hosmer moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Clayton offered **House Amendment No. 3**.

Representative Smith raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Dougherty requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Hartzler (124) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Bill No. 1472, Page 1, Section 210.865, Line 2, by inserting the word “**criminal**” after said line; and

Further amend Line 4, by inserting the words “**in the line of their criminal activities**” after the word “departments.”; and

Further amend Line 6, by inserting the word “**criminal**” after the word “of”; and

Further amend Line 10, by inserting the word “**criminal**” after the word “all”.

Representative Hartzler (124) moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 073

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
King	Klindt	Legan	Levin	Linton
Lograsso	Loudon	Luetkemeyer	Marble	McClelland
Merideth	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Schwab	Scott
Secrest	Shields	Summers	Surface	Townley
Tudor	Vogel	Wright		

NOES: 081

Abel	Backer	Barry 100	Berkowitz	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambara
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	May 108	Mays 50	McBride
McKenna	McLuckie	Monaco	Murray	O'Connor
O'Toole	Overschmidt	Parker	Ransdall	Relford
Riley	Rizzo	Scheve	Schilling	Seigfreid
Selby	Shelton	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Wagner	Ward

Wiggins
Mr. Speaker

Williams 121

Williams 159

Wilson 25

Wilson 42

PRESENT: 000

ABSENT WITH LEAVE: 008

Auer
Reynolds

Berkstresser
Sallee

Kelley 47
Stokan

Long

Luetkenhaus

VACANCIES: 001

Representative Hosmer offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Bill No. 1472, Page 2, Line 27, by inserting after the word “agency” the following: “, **law enforcement**”.

On motion of Representative Hosmer, **House Amendment No. 4** was adopted.

On motion of Representative Smith, **HB 1472, as amended**, was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1113**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1121**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Judiciary, Chairman May (108) reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 896**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SCS SB 719**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SCS SB 842**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Retirement, Chairman Hagan-Harrell reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **SB 922**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Tourism, Recreation and Cultural Affairs, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **SB 724**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2157, introduced by Representatives Dougherty and Wiggins, relating to alternative fuel motor vehicles.

HB 2158, introduced by Representative Boucher, relating to motor vehicle records.

HB 2159, introduced by Representative Froelker, relating to the highway and transportation department employees' and highway patrol retirement system.

HB 2160, introduced by Representatives Fraser and Riback Wilson (25), relating to the sale of certain consumer credit information.

HB 2161, introduced by Representatives Fraser and Liese, relating to equalization of local governmental services for certain property owners.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SJR 53**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2 and 9 of article III of the Constitution of Missouri relating to changing the number of members of the house of representatives, and adopting two new sections in lieu thereof relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 678 & 742**, entitled:

An act to repeal sections 56.085, 196.790, 426.220, 426.230, 429.360, 479.150, 512.180, 512.190, 512.200, 512.210, 512.250, 512.270, 512.280, 512.290, 512.300, 512.310, 512.320, 516.500, 517.011, 534.350, 534.360, 535.110, 537.045, 541.020, 550.120, 621.055, 621.155, 621.165, 621.175, 621.185, 621.189 and 621.198, RSMo 1994, and sections 43.503, 67.133, 104.312, 211.185, 302.535, 303.041, 351.025, 354.065, 452.556, 455.040, 455.050, 455.205, 479.500, 482.305, 482.330, 483.310, 483.500, 487.030, 514.440, 534.070, 534.380, 535.030, 537.675, 610.105 and 650.055, RSMo Supp. 1999, relating to judicial and administrative procedures, and to enact in lieu thereof fifty-one new sections relating to the same subject, with an effective date for certain sections.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Gunn, the House adjourned until 10:00 a.m., Thursday, April 13, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-second Day, Tuesday, April 11, 2000, pages 901 and 902, roll call, by showing Representative Akin voting "aye" rather than "absent with leave".

Page 912, roll call, by showing Representative Long voting "aye" rather than "absent with leave".

Page 914, roll call, by showing Representative Long voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

CRIMINAL LAW

Thursday, April 13, 2000. Hearing Room 3 upon morning adjournment.
Executive Session. AMENDED NOTICE.

ENVIRONMENT AND ENERGY

Thursday, April 13, 2000, 8:30 am. Hearing Room 7.
Executive Session will follow.
To be considered - HCR 29

JOINT COMMITTEE ON CORRECTIONS

Monday, April 17, 2000, 1:15 pm. Hearing Room 4.
Annual Report.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, April 13, 2000, 9:00 am. Hearing Room 5.
Discussion of Revision Bills; Publication of Statutes and Session Laws; Mental Health Report.

MISCELLANEOUS BILLS AND RESOLUTIONS

Thursday, April 13, 2000, 9:00 am. Hearing Room 4.

To be considered - Executive Session - SB 801

PUBLIC HEALTH

Thursday, April 13, 2000, 9:00 am. Hearing Rooms 2A and 2B.

Executive Session. CANCELLED.

SUBCOMMITTEE ON PUBLIC HEALTH

Wednesday, April 19, 2000, 8:30 am. Hearing Room 4.

Discussing mental health ombudsman legislation.

UTILITIES REGULATION

Thursday, April 13, 2000, 8:00 am. Hearing Room 6.

To be considered - HB 1778, HB 1842, HB 1895, SB 1049

HOUSE CALENDAR

FIFTY-FOURTH DAY, THURSDAY, APRIL 13, 2000

HOUSE BILLS FOR SECOND READING

HB 2157 through HB 2161

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 40 - Graham (24)

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

1 HCS HB 1113 - Green

2 HB 1121 - Franklin

HOUSE BILLS FOR PERFECTION

1 HCS HB 1932 - Harlan

2 HCS HB 1967 - Hoppe

3 HB 1728, HCA 1 - Backer

4 HCS HB 1698 - Shelton

5 HCS HB 1762 - Williams (159)

6 HB 1881 - Auer

7 HCS HB 1489, 1488 & 1650 - Kennedy

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HCS HB 1362, HS, as amended, pending - Harlan

2 HCS HB 1602, as amended - Leake

3 HCS HB 1143, as amended - Scheve

4 HCS HB 1574 & 1640 - Britt

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HB 1946 - Dougherty

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1305, E.C. - Rizzo
- 2 HS HCS HB 1677, 1675 & 1676 - Riback Wilson (25)
- 3 HS HCS HB 1652 & 1433 - Hoppe
- 4 HS HB 1603 - May (108)
- 5 HCS HB 1711, (Fiscal Review, 4-12-00) - Abel
- 6 HS HCS HB 1797 - Gratz

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1828 - Gross
- 2 HB 1095 - Richardson
- 3 HB 1358 - Loudon
- 4 HB 1275 - Chrismer

HOUSE BILLS FOR THIRD READING - CONSENT - INFORMAL

- 1 HB 1825 - Klindt
- 2 HB 1685 - Smith

SENATE JOINT RESOLUTION FOR SECOND READING

SS#2 SJR 53

SENATE BILL FOR SECOND READING

SS SCS SB 678 & 742

SENATE BILL FOR THIRD READING - INFORMAL

HCS SS SB 549, HS, pending - Van Zandt

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford